

REMARKS

In light of the above amendments and remarks to follow, entry of this amendment and reconsideration and allowance of this application are respectfully requested.

Claims 1, 4, 6, 10, 17, 23, 26, 29-30, 32-33, 39, 44, 46, 48-49 and 51-52 have been amended. Claims 1-56 are pending in this application.

Claims 1-56 were rejected under 35 U.S.C. § 102(e) as being unpatentable over Rhoads et al. (U.S. Patent No. 6,614,914).

It is noted that the Office Action does not consider the claim amendments of the Preliminary Amendment dated July 26, 2002, filed in the subject application. (See Item 1 of Office Action Summary). Although the Examiner's statements in Item 4 (pages 2-8) of the Office Action do not address the explicit limitations of the pending claims, to expedite prosecution, Applicant has responded to the Office Action in view of the portions of the reference applied by the Examiner.

The present claims have been amended for clarifying what is the claimed invention, and now recite, in relevant part, that "the content data in the first data recorded on the medium are outputtable at least one of visibly or audibly only subsequently to outputting of the second data, which has been reproduced from the medium, at least one of visibly or audibly." (Independent claims 1 and 6; independent claims 10, 17, 23, 26, 30, 33, 39, 44, 49 and 52 contain similar limitations). As required by claim 1, for example, the second data on the recording medium may contain content concealment data for concealing the content data included in the first data on the recording medium. Advantageously, the present invention provides that the audible or visible output of the second data, which may include advertisement data containing the "content concealment data," precedes the audible or visible output of the content data included in the first data, such that the "advertisement effect

(second data) attached to the contents (first data)" can be enhanced. (See specification, for example, pg. 21, 5-7 and 18-21; pg. 25, ln. 2-3 and 12-16; pg. 28, ln. 8-9; pg. 32, ln. 1-5; and pg. 33, ln. 20-21).

In contrast to the claimed invention, the applied portions of Rhoads et al. appear to describe using detected watermark data to recover a message (see FIGs. 5 and 6). Rhoads et al. does not appear to disclose or suggest audibly or visibly outputting content data included in first data, "only subsequently" to audibly or visibly outputting corresponding second data, such as advertisement data, which may include content concealment data that can be used to obtain the content data included and concealed within the first data, as required by the claimed invention.

Accordingly, independent claims 1, 6, 10, 17, 23, 26, 30, 33, 39, 44, 49 and 52 are not anticipated by Rhoads et al.

In addition, claims 2-5, 7-9, 11-16, 18-22, 24-25, 27-29, 31-32, 34-38, 40-43, 45-48, 50-51 and 53-56 4-9, which depend from independent claims 1, 6, 10, 17, 23, 26, 30, 33, 39, 44, 49 or 52, are not anticipated by Rhoads et al. for the same reasons as set forth above for the independent claims, and because of the additional restrictions the dependent claims add. Referring to dependent claims 29, 32, 46, 48 and 51, nowhere do the applied portions of Rhoads et al. (e.g., Col. 32, lines 39-42) appear to disclose or suggest that, when the second data undergoes special reproduction, such that the second data cannot be visibly or audibly output "in a predetermined manner," for example, at an ordinary output processing to exhibit a desired (advertisement) effect, cyptanalysis processing of the first data, which is required for audibly or visibly outputting the decoded first data, is stopped. (See specification, for example, at pg. 37, ln. 28- pg. 39, ln. 2).

In view of the above, each of the presently pending claims

in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

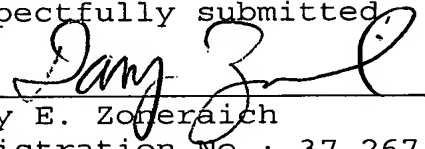
If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095.

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Respectfully submitted,

By


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